

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: MAT FIVE SECURITIES LITIGATION

-----X : MEMORANDUM and
: ORDER

-----X : 08 Civ. 4152 (NRB)

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS defendants filed a motion to dismiss on December 4, 2008; and

WHEREAS all parties agree that the outcome of pending litigation in the Supreme Court of Delaware in a parallel case may moot this action; it is hereby

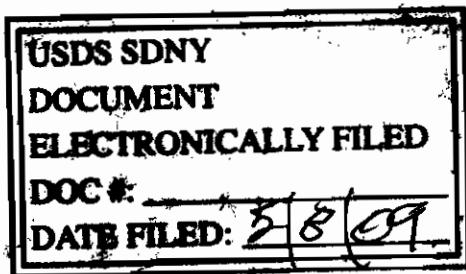
ORDERED that defendants' motion to dismiss is denied without prejudice to renewal if the outcome of the pending Delaware litigation does not moot this case; and it is further

ORDERED that defendants' time to answer or otherwise move is adjourned, sine die.

Dated: New York, New York
May 7, 2009



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE



A copy of the foregoing Order has been mailed on this date to the following:

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